

35.C11969 REI.



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application:)
of U.S. Patent No. 5,803,975 : Examiner: L. Alejandro)
Applicant: NOBUMASA SUZUKI :)
Appln No.: 09/657,971 : Group Art Unit: 1763)
Filed: September 8, 2000 :)
For: MICROWAVE PLASMA :)
PROCESSING APPARATUS AND :)
METHOD THEREFOR : August ,2001)
Issued: September 8, 1998 :)
Commissioner for Patents
Washington, D.C. 20231

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SUBSTITUTE REISSUE DECLARATION AND POWER OF ATTORNEY

Sir:

As the below named inventor, I hereby declare and say
that:

1. I believe that I am the original, first and sole
inventor of the subject matter which is claimed in the subject
reissue application and for which a reissue patent is sought on
the invention entitled MICROWAVE PLASMA PROCESSING APPARATUS AND
METHOD THEREFOR, the specification of which was filed in the
Patent and Trademark Office on September 8, 2000.

2. I have reviewed and understand the contents of the reissue application, including the claims presented in the Preliminary Amendment dated September 7, 2000.

3. I acknowledge my duty to disclose to the U.S. Patent and Trademark Office all information known to be material to patentability as defined in 37 C.F.R. § 1.56.

4. I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or §365(b), of the foreign applications for patent identified below and have also identified below any foreign application for patent or inventor's certificate or PCT international application having a filing date before that of the application on which priority is claimed:

<u>Country</u>	<u>Application No.</u>	<u>Filing Date</u>	<u>Priority Claimed</u>
Japan	8-044884	March 1, 1996	Yes
Japan	8-057288	March 14, 1996	Yes

5. I believe that the original above-identified U.S. Patent is partly inoperative by reason of my having claimed less than I had the right to claim; specifically, issued claims 19-25 and 50-59 are more narrow than the invention I disclosed in the patent by requiring the presence of a processing chamber recited in independent claims 19 and 50. Additionally, claims to certain specific embodiments disclosed in my application are not included

in the issued patent. Accordingly, new Claims 60-98 should be included in the patent in order to provide me with claims of both broader scope and more specific scope, consistent with my invention and my disclosure. During the prosecution of U.S. Patent Application No. 08/806,070, which matured into the above-identified U.S. Patent, claims of the scope of these new claims were not presented.

6. The errors to be remedied by this reissue application arose due to the failure to appreciate that the claims directed to an embodiment of my invention were written more narrowly than the scope of my actual invention as disclosed in the originally filed application.

7. All errors which are being corrected in the present reissue application up to the time of filing this declaration arose without any deceptive intent on my part.

8. I hereby appoint the practitioners associated with the firm and Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and direct that all correspondence be addressed to the address associated with that Customer Number:

FITZPATRICK, CELLA, HARDER & SCINTO

Customer Number: 05514.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole Inventor NOBUMASA SUZUKI

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